



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

AA

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|----------------------|------------------|
| 09/825,178 | 04/03/2001 | Naoki Oguchi | FUJY 18,546 | 1676 |
| 26304 | 7590 | 05/18/2007 | EXAMINER | |
| KATTEN MUCHIN ROSENMAN LLP 575 MADISON AVENUE NEW YORK, NY 10022-2585 | | | BRUCKART, BENJAMIN R | |
| ART UNIT | | PAPER NUMBER | | |
| 2155 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 05/18/2007 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/825,178 | OGUCHI, NAOKI |
| | Examiner | Art Unit |
| | Benjamin R. Bruckart | 2155 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 April 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

Detailed Action

Status of Claims:

Claims 1-3 are pending in this Office Action.

There are no amendments.

Response to Arguments

Applicant's arguments filed in the amendment filed 4/18/2007, have been considered but are found not persuasive. The reasons are set forth below.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,888,837 by Cunningham et al (Applicants IDS).

Regarding claim 1, a communication data relay system for relaying between two or more domains each configured by one or more networks, a relay source domain having routing information to a relay destination domain (Cunningham: col. 3, lines 47-56), comprising:

two or more interface modules for accessing said networks (Cunningham: col. 10, lines 56-65; Fig. 11);

a domain definition module for defining a domain configured by said one or more networks, said domain definition module storing an interface identifier for identifying an interface module and a domain identifier for identifying said domain corresponding to said interface module identified by said interface identifier (Cunningham: col. 5, lines 42-61; Figures 2a-2c);

an inter-domain communication definition module for defining connectivity between said two or more domains defined by said domain definition module, said connectivity based on a combination of the following parameters: a source/destination domain identifier, an inter-domain communicability field, and a translation rule (Cunningham: col. 7, lines 20- col. 8, line 26; Fig. 2d);

a routing information storage module for storing domain routing information corresponding to each of said two or more domains defined by said domain definition module (Cunningham: Figs 2a-2c), said domain routing information including a destination network address to which a packet is sent, a next-hop gateway address to which said packet is relayed, an output interface identifier for identifying the interface module to which said packet is output, and said domain identifier defined in said domain definition module for identifying the correspondence between said domain routing information and each of said two or more domains defined by said domain definition module (Cunningham: col. 5, lines 62- col. 6, line 15; Fig. 2d); and

a relay control unit for controlling relay of the communication data, wherein said relay control unit controls the relay of the communication data with reference to said domain routing information corresponding to the domain concerned in the case of a relay within said same

Art Unit: 2155

domain (Cunningham: col. 5, lines 59-61; Fig. 2d, tag 238; route to same domain), and judges whether communication between the domains is permitted or not for the relay in accordance with said parameters associated with said inter-domain communication definition module in the case of a relay between the domains different from each other and relays between the domains different from each other if communication is judged to be permitted (Cunningham: col. 6, lines 10-40).

Regarding claim 2, a communication data relay system according to claim 1, further comprising a destination address search module for the relay destination domain,

wherein if the relay source domain does not have routing information to the relay destination domain, said destination address search module searches a destination address to the relay destination domain in response to a request from a source communication device within the relay source domain, and notifies said source communication device of a relay address within the relay source domain that corresponds to the destination address (Cunningham: col. 7, lines 21- col. 9, line 42; DNS name resolution to get global address), and

 said relay control unit relays the communication data addressed to the relay address to the destination address in the relay destination domain (Cunningham: col. 6, lines 10-40).

Regarding claim 3, a communication data relay system according to claim 1, further comprising a routing control information storage module to the domain to which a communication data processing device for processing the communication data is connected,

 wherein said relay control unit, when controlling the relay of the communication data, causes said communication data processing device to process the communication data, and relays the thus processed communication data (Cunningham: col. 16, lines 27-54; Fig. 11).

REMARKS

Applicant after non-compliant amendment has repeated arguments arguing claim 1.

The Applicant Argues:

Applicant argues the Cunningham reference does not disclose 1) “inter-domain communication definition module,” 2) the use of a “translation rule” or 3) whether communication between the domains is permitted or not for the relay in accordance with said parameter associated with said inter-domain communication definition module.”

In response, the examiner respectfully submits:

The Cunningham reference does teach the claimed features. With respect to arguments 1 and 2) Cunningham teaches the inter-domain communication module as the DNS proxy of col. 7, line 20- col. 8, line 26. Cunningham teaches the DNS proxy performs domain name resolution across multiple address domains in order to find the destination address in order to create a connection by transmitting a packet (col. 8, lines 33-36). The claim broadly states a combination of defined parameters, not specifying which parameters exactly or how they are used, are needed and Cunningham shows connectivity based on a source/destination domain identifier (col. 7, line 26; source address; line 28; domain name associated with destination host), an inter-domain communicability field (Fig. 2d; translated port field) and translation rule (col. 7, line 51- col. 8, line 10; NAT). With respect to argument 3) the Cunningham reference teaches the relay control unit does judge and permit communication between domains specifically in col. 10, line 23-33 where a packet is received and determined to require address translation before transmitting. The parameters mapping the source to destination addresses are not resolved and thus the packet would be lost. Cunningham col. 6, lines 1-40 show address translation tables that would resolve and find the destination address needed in order to successfully transfer a packet from a source to destination.

Suggested Amendments

The examiner suggests adding details to the inter-domain communicability field with respect to Fig. 7 of the instant specification with explicit details about how the parameters are used because as it is written, it is very open to interpretation. Detailing the inter-domain communication parameter with respect to the relay control unit would overcome the art of record.

Prior Art

U.S. Patent No. 7,139,838 by Squire et al teaches controlling inter-domain communication (col. 2, lines 28-35) based on policy information.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 9:00-5:30PM.

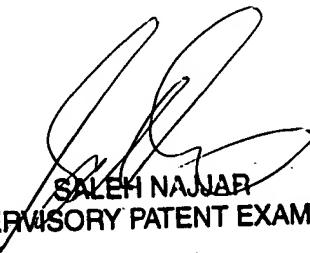
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin R Bruckart
Examiner
Art Unit 2155

BRB


SALEM NAJAFI
SUPERVISORY PATENT EXAMINER